

***Remarks***

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 59, 61-66, 68-73, and 75-83 are pending in the application, with claims 59, 66, 73, 81, and 83 being the independent claims. Claim 82 is sought to be cancelled without prejudice to, or disclaimer of, the subject matter therein. Claims 59, 64-66, 71-73, 78, 79, 81, and 83 are sought to be amended. These changes are believed to introduce no new matter, and their entry is respectfully requested.

Based on the above amendment and the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding rejections and that they be withdrawn.

***Telephone Interview of September 1, 2009***

Applicants' representatives would like to thank the Examiner for the telephone interview held September 1, 2009. During the interview, Applicants' representatives and the Examiner discussed possible claim features which could be added and modified to potentially overcome the rejections. The amendments and arguments presented herein reflect the discussion.

***Rejections under 35 U.S.C. § 112***

The Examiner has rejected claims 59, 61-66, 68-73, and 75-83 under 35 U.S.C. § 112, first paragraph, for allegedly failing to comply with the written description requirement. Applicants note that claim 82 is sought to be cancelled without prejudice

to, or disclaimer of, the subject matter therein, thereby rendering the rejection moot as to claim 82. Applicants respectfully traverse the rejection as to the remaining claims.

The Examiner's basis for the rejection alleges, to which Applicants do not acquiesce, that the specification does not provide adequate written description for the claim feature "upload[ing] an additional control signal to the local device for directing an additional action in the primary functionality component," as previously recited in claim 59, and previously-recited analogous claim language of claims 66, 73, 81, and 83.

Applicants traverse for at least the reasons provided in the Reply filed on August 4, 2009. Paragraph [0014] discloses as a feature "providing the capability for *data to be downloaded from the remote system* to each of the local devices," such that "the data already present in each local device can be updated, replaced, or supplemented as desired." (Specification at [0014]). Paragraph [0073] clarifies that data which can be received from the remote system by the local device includes "control signals for controlling primary functionality component 19." (Specification at [0073]). It is therefore clear that the written description requirement is met for at least these reasons.

Nevertheless, in the interest of expediting prosecution, the claim language which forms the basis of this rejection has been deleted from the amended claims. Applicants reserve the right to prosecute this, and other deleted subject matter, in this application or in a future continuation, continuation-in-part, or divisional application. Accordingly, Applicants respectfully request that the rejection of claims 59, 61-66, 68-73, 75-81, and 83 under 35 U.S.C. §112, first paragraph, be reconsidered and withdrawn.

***Rejections under 35 U.S.C. § 102***

The Examiner has rejected claims 59, 61-63, 65, 66, 68-70, 72, 73, 75-77, and 79-83 under 35 U.S.C. §102(a) as allegedly being anticipated by U.S. Patent No. 5,774,859 to Houser et al. ("Houser"). Applicants note that claim 82 is sought to be cancelled without prejudice to, or disclaimer of, the subject matter therein, thereby rendering the rejection moot as to claim 82. Applicants respectfully traverse the rejection as to the remaining claims.

Claim 59 recites, *inter alia*, "a memory configured to store ***an acoustic model of the input***," "a processing module coupled to the transceiver and configured to perform speech recognition on the received input ***based on a previously stored acoustic model in order to recognize a command***," and "wherein the acoustic model of the input and the previously stored acoustic model are ***associated with the device to address specific characteristics of additional input received from the device***."

Houser does not disclose, teach, or suggest at least the aforementioned features of claim 59. Houser is directed to a head-end installation, which "includes an RF processor 152 for receiving reverse path data communications from subscriber locations 120-1,...,120-n." (Houser, col. 11, ll. 32-34). However, even though the head-end installation of Houser is capable of "receiving reverse path data communications from subscriber locations," it does not comprise "a memory configured to store an acoustic model of the input," among the other features recited in claim 59.

Additionally, the terminal unit of Houser "includes a processor for executing a speech recognition algorithm for comparing the vocabulary data and the spoken command data to recognize, for example, commands for controlling device 18 or

commands for accessing information transmitted by information distribution center 12." (Houser, col. 5, ll. 62-67). Notably, the terminal unit of Houser also does not comprise "a memory configured to store an acoustic model of the input," among the other features recited in claim 59.

For at least the foregoing reasons, Houser does not disclose each and every feature of claim 59. Independent claims 66, 73, 81, and 83 recite analogous features as claim 59, using respective language, and are also not anticipated by Houser for at least the same reasons as claim 59. Claims 61-63, 65, 68-70, 72, 75-77, 79, and 80 are also not anticipated by Houser for at least the same reasons as claim 59, 66, and 73, from which they depend, and further in view of their own respective features. Accordingly, Applicants respectfully request that the rejection of claims 59, 61-63, 65, 66, 68-70, 72, 73, 75-77, and 79-81, and 83 under 35 U.S.C. § 102(a) be reconsidered and withdrawn.

### ***Rejections under 35 U.S.C. §103***

The Examiner has rejected claims 64, 71, and 78 under 35 U.S.C. §103(a) as allegedly being obvious over Houser in view of U.S. Patent No. 6,282,268 to Hughes et al. ("Hughes"). Applicants respectfully traverse this rejection.

Claims 64, 71, and 78 depend from claims 59, 66, and 73, respectively. Houser does not teach or suggest each and every feature of claims 59, 66, and 73 for at least the reasons provided above. Hughes does not supply the missing teaching or suggestion. Accordingly, the combination of Houser and Hughes does not render claims 59, 66, and 73 obvious, and therefore cannot render claims 64, 71, and 78 obvious by virtue of their

dependency. Accordingly, Applicants respectfully request that the rejection of claims 64, 71, and 78 under 35 U.S.C. § 103(a) be reconsidered and withdrawn.

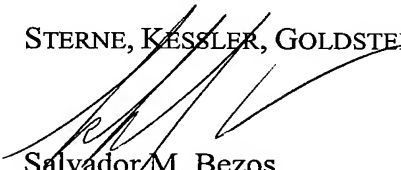
***Conclusion***

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

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